

# Exhibit 18

October, 1779.

GENERAL ASSEMBLY of the Governor and Company of the State of Rhode-Island, and Providence-Plantations, begun and holden at South-Kings town, within and for the State aforesaid, on the last Monday in October, in the Year of our Lord One Thousand Seven Hundred and Seventy-nine, and in the Fourth Year of Independence.

P R E S E N T,

His EXCELLENCE  
*William Greene, Esquire,*  
GOVERNOR.

The HONORABLE  
*Jabez Bowen, Esq; Deputy-Governor.*

JOSHUA BARCOCK, Esq;  
PAUL MUMFORD, Esq;  
JOHN SAYLES, Esq;  
JAMES ARNOLD, Esq;  
GIDEON COMSTOCK, Esq;  
JOB RANDALL, Esq;  
PETER PHILLIPS, Esq;  
ENOCH HAZARD, Esq;  
PARDON GRAY, Esq;

Assistants,

WILLIAM MUMFORD, Esq; Deputy-Secretary.

D E P U T I E S

October, 1779.

29.

an Act of this Assembly for confiscating the Estates of Persons therein described.

*It is Voted and Resolved*, That the Honorable *Jabez Bowen, Esq; James M. Vurnum and Henry Ward, Esqrs.* be, and they are hereby, appointed a Committee to draught a Letter to his Excellency General *Washington*, and the Delegates of this State in Congress, upon the Subject of the Troops being called from this State, and present the same to his Excellency the Governor, by him to be approved, signed, and forwarded as soon as may be; and that they lay a Copy of the said Letters, before this Assembly at the next Session.

Committee to draught Letters to General Washington and the Delegates

Whereas Mr. *James Sumner*, Major of Engineers, exhibited unto this Assembly an Account, for his Subsistence Money from the 16th of March to the 16th of *August A. D. 1779*: Which being duly considered, *It is Voted and Resolved*, That the Amount thereof, being *Seventy-five Pounds, Lawful Money* be allowed and paid the said *James Sumner*, out of the General-Treasury.

*J. Sumner allowed £ 75.*

*It is Voted and Resolved*, That Mr. *James Sumner*, Major of Engineers, be and he is hereby, continued in Service and Pay, until the further Orders of this Assembly.

*J. Sumner continued in Service.*

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An ACT for the better forming, regulating and conducting the military Force of this State.

WHEREAS the Security and Defence of all free States essentially depend, under God, upon the Exertions of a well regulated Militia: And whereas the present Situation of this State demands our most serious Attention to those important Objects, and the many Laws heretofore enacted for effecting those valuable Purposes have proved inadequate to the End designed: Wherefore, for the better forming, regulating and conducting the military Force of this State, *Be it Enacted by this General Assembly, and by the Authority thereof it is hereby Enacted*, That all effective Males between the Ages of Sixteen and Fifty, except such as are hereafter excepted, shall constitute and make the military Force of this State; and that the same be divided into Companies, Battalions and Brigades, in the

Act regulating the Militia.

October, 1779.

following Manner; *viz.* Those in the County of *Providence* to form one Brigade, those in the County of *King's County* to form one Brigade, those in the Counties of *Newport* and *Bristol* to form one Brigade, and those in the County of *Kent* to form one Brigade; each Brigade to be commanded by a Brigadier-General, assisted by a Brigade-Major: That the Brigade in the County of *Providence* consist of three Battalions, the Brigade in the County of *King's County* of three Battalions, the Brigade in the Counties of *Newport* and *Bristol* of two Battalions, and that the Brigade in the County of *Kent* consist of two Battalions: That each Battalion be commanded by one Lieutenant-Colonel Commandant, and one Major.

*And be it further Enacted by the Authority aforesaid, That the Towns of *Providence*, *Cranston*, *Johnston* and *North-Providence*, constitute one Battalion; the Towns of *Smithfield* and *Cumberland*, one Battalion; and the Towns of *Scituate* and *Gloucester*, one Battalion: That the Towns of *Westerly*, *Charlestown* and *Hopkinton*, constitute one Battalion; the Towns of *North-Kingstown* and *Exeter*, one Battalion; and the Towns of *South-Kingstown* and *Richmond*, one Battalion: That the Towns of *Newport*, *Middletown*, *Portsmouth* and *Jamestown*, constitute one Battalion: That the Towns of *Bristol*, *Warren* and *Barrington*, constitute one Battalion; and that the Towns of *Tiverton* and *Little-Compton* constitute one Battalion: That the Towns of *Warwick* and *East-Greenwich* constitute one Battalion; and that the Towns of *West-Greenwich* and *Coventry* constitute one Battalion.*

*And be it further Enacted by the Authority aforesaid, That each Battalion consist of Infantry Companies according to its Strength, not exceeding Ten, one Company of Artillery, and one of Horse: That each Company of Infantry be commanded by one Captain, one Lieutenant, and one Ensign; and that the Non-commissioned Officers of each Company be Three Serjeants, Three Corporals, One Drummer, and One Fifer: That each Company of Artillery consist of Twenty-four Matrosses, Two Serjeants, Two Corporals, and Two Gunners, and be commanded by One Captain-Lieutenant, and One Lieutenant: That each Company of Horse consist of not less than Thirty-two Privates, Three Corporals, Two Serjeants, and One Trumpeter, and be commanded*

October, 1779.

31

commanded by one Captain, one Lieutenant, and one Cornet.

*And be it further Enacted*, That besides the Officers and Non-commissioned Officers before mentioned, there be appointed to each Brigade one Quarter-Master, one Commissary, and one Forage-Master, to be taken from the Line; that to each Battalion there be appointed one Adjutant, one Quarter-Master, and one Pay-Master, to be taken from the Line, and one Surgeon, and one Surgeon's-Mate; and that there be also appointed to each Battalion, from the Lists of Serjeants, Drummers and Fifers, one Serjeant-Major, one Quarter-Master Serjeant, one Drum-Major, and one Fife-Major.

*And be it further Enacted*, That there be Four Infantry Companies in the Town of Providence, Two in the Town of Cranston, Two in the Town of Johnston, and one in the Town of North-Providence: That there be Three Infantry Companies in the Town of Smithfield, and Three in the Town of Cumberland: That there be Six Infantry Companies in the Town of Scituate, and Four in the Town of Gloucester: Also that there be Three Infantry Companies in the Town of Westerly, Two in the Town of Charlestown, and Three in the Town of Hopkinton: That there be Four Infantry Companies in the Town of North-Kingstown, and Two in the Town of Exeter: That there be Four Infantry Companies in the Town of South-Kingstown, and Two in the Town of Richmond: Also that there be Two Infantry Companies in the Town of Bristol, Two in the Town of Warren, and one in the Town of Barrington: That there be Four Infantry Companies in the Town of Newport, Two in the Town of Portsmouth, one in the Town of Middletown, and one in the Town of Jamestown: That there be Three Infantry Companies in the Town of Tiverton, and Two in the Town of Little-Compton: And also that there be Three Infantry Companies in the Town of Warwick, and Two in the Town of East-Greenwich: And that there be Four Infantry Companies in the Town of Coventry, and Three in the Town of West-Greenwich.

*And be it further Enacted by the Authority aforesaid*, That each and every effective Man as aforesaid shall provide, and at all times be furnished, at his own Expence (excepting such Persons as the Town-Councils of the Towns in which they

g.2

October, 1779.

they respectively dwell or reside shall adjudge unable to purchase the same) with one good Musquet, and a Bayonet fitted thereto, with a Sheath and Belt, or Strap, for the same, one Ram-rod, Worm, Priming-wire and Brush, and one Cartouch-Box.

*And be it further Enacted by the Authority aforesaid, That the Artillery Companies be formed in their respective Battalions at the Discretion of the Field-Officers, with the Approbation of their respective Brigadiers, due Regard being had to their local Situation and Abilities.*

And whereas, by the Experience of all Ages, it has been found expedient, for the better Support of Subordination and military Discipline, to form separate and distinct Corps, which shall take in the different Degrees and Orders of effective Men, so far as respect their Offices and Stations in Life ; and whereas this Assembly, influenced by this Principle of general Utility, have ever exempted certain Persons from serving promiscuously in the Militia Battalions ; nevertheless, as the Public, in Cases of Necessity, had and have a Right to claim their personal Services, that the same beneficial Purposes may still be effected, *It is Enacted*, That all Persons under the following Description be exempted from serving in the Infantry Battalions, and Companies of Artillery, *viz.* all Persons who have served in the Place of General Officers, Justices of the Peace, or other commissioned Officers, the Ministers or Teachers of each Church or Congregation in this State, all sworn Practitioners in the Law, Physicians, Surgeons, Apothecaries, all Persons appointed to work the Fire-Engines, one Miller to each Grist-Mill, one Ferryman to each stated Ferry, all those who have lost a right Eye, or are disabled by Lameness, all Town-Councilmen, Treasurers, Clerks and Serjeants, while serving in their respective Stations.

*And be it further Enacted, That all Persons between the Ages of Sixteen and Fifty Years, exempted as aforesaid from serving in the Infantry Battalions, be formed into separate Corps, to be known and called by the Name of the Senior Class, in the several Brigades to whose Districts they appertain ; that they be officered in the same Manner as the Infantry Companies, with such Field and Staff Officers as their Numbers in their respective Brigades shall entitle them to, and who shall at all Times be armed, accoutred and*

October, 1779.

33

and provided, in Manner aforesaid, and subjected to the same Regulations as the Battalions aforesaid.

*And be it Enacted by the Authority aforesaid, That the said Senior Class in the Town of Providence constitute one Company; those of the Town of Cranston, one Company; those of the Towns of Johnston and North-Providence, one Company; those of the Town of Smithfield, one Company; those of the Town of Cumberland, one Company; those of the Town of Scituate, one Company; and those of the Town of Gloucester, one Company: That the said Companies be formed into one Battalion, to be commanded by one Lieutenant-Colonel Commandant, and one Major; that the said Senior Class in the Town of Westerly constitute one Company; those of the Town of Charlestown, one Company; those of the Town of Hopkinton, one Company; those of the Town of North-Kingstown, one Company; those of the Town of Exeter, one Company; those of the Town of South-Kingstown, one Company; and those of the Town of Richmond, one Company: That the said Companies be formed into one Battalion, to be commanded by one Lieutenant-Colonel Commandant, and one Major: That the said Senior Class in the Towns of Bristol, Warren and Barrington constitute one Company; those of the Town of Tiverton, one Company; and those of the Town of Little-Compton, one Company; to be commanded by one Major: That those of the Senior Class in the Towns of Newport and Jamestown constitute one Company; those of the Towns of Portsmouth and Middletown, one Company; to form one Battalion, to be commanded by one Major: And that those of the Senior Class in the Towns of Warwick and East-Greenwich constitute one Company; those of the Town of Coventry, one Company; and those of the Town of West-Greenwich, one Company; to be commanded by one Major.*

*And be it further Enacted by the Authority aforesaid, That the Companies of Horse for the respective Battalions be formed from the Senior Classes of their respective Districts, at their own Election, and by the Approbation of their respective Brigadiers, due Regard being had to their Abilities and local Situation. And that there be appointed one Director and Purveyor-General of the military Hospitals, and one Surgeon and Physician-General, one Adjutant-General, one Quarter-Master-General, and one Commissary-*

October, 1779.

General, with Power of substituting as Occasion may require.

*And be it further Enacted by the Authority aforesaid, That there be annually one grand Muster, for the Review of each Brigade, viz. for the Brigade in the County of Providence, on the First Monday in November; the Brigade in the County of King's County, on the Second Monday in November; the Brigade in the Counties of Newport and Bristol, on the Third Monday in November; and the Brigade in the County of Kent, on the Fourth Monday in November: And if it shall happen that the Day assigned for the Review of each or either of the said Brigades be stormy, that the Review shall be on the First fair Day next following.*

*And be it further Enacted, That the several Companies of Infantry, Artillery and Horse, besides the Muster aforesaid, meet Two Days at the least in every Year, for Exercise and Reviews, at such Times as their Captains or Commanding Officers respectively shall, with the Approbation of the Commandant of their respective Battalions, direct,*

*And be it further Enacted, That whenever the Commanding Officer of any Company shall have Orders to assemble his Company, except in cases of Alarm, he shall issue his Warrant to the Corporals of his Company, Four Days before the Time appointed for their assembling, requiring them to warn the Men of their respective Districts, to be by him assigned, to assemble at the Time and Place appointed, compleatly equipped, accoutred and provided, as in and by this Act is directed: And the said Corporals shall make Return of the said Warrant, with their Doings thereon, the Day before assembling as aforesaid.*

*Provided nevertheless, That where the whole of any Company shall live in the compact Part of any Town, they shall and may be warned to assemble by beat of Drum.*

*And be it further Enacted, That whenever the Brigades, Battalions or Companies, assemble as aforesaid, they meet at their respective Alarm-Posts, to be assigned by the General and Field-Officers.*

*Be it further Enacted, That besides the Times aforesaid, it shall and may be lawful for the Captain-General, or Lieutenant-*

October, 1779.

35

tenant-General, to call together the Whole or any Part of the Troops aforesaid, as to them shall seem needful.

*Be it also Enacted*, That upon all general Alarms, to be known by the Signals now established, or that may be hereafter established, each Captain or Commanding Officer repair immediately with his Company, equipped and accoutred as aforesaid, to the Alarm-Post or Posts of his Battalion, there to receive Orders from his Field-Officers, who are without Loss of Time to be upon the Spot, or in their Absence the Senior Officer to direct: And that upon every such Occasion, each Officer, non-commissioned Officer and Private, take with him Three Days Provision.

*Be it further Enacted by the Authority aforesaid*, That all Male Persons between the Ages of Fifty and Sixty, if able in the Judgment of the respective Town-Councils, shall be at all Times armed, accoutred and equipped, in Manner aforesaid upon the same Penalty as though they were held to military Duty, provided that they be enrolled, and an exact List be taken of them, by the Colonel of the Battalion in whose District they live; that upon any Deficiency in Arms, &c. he issue his Warrant, in the same Manner as is herein after expressed: And that they be considered as the Alarm-List of the State, and be subject to all other Duties as those exempted from bearing Arms.

*Be it further Enacted*, That every Person who shall at any Time be found deficient in any of the Arms, Accou- taments and Equipage, as by this Act prescribed and di- rected, excepting those before excepted, such Delinquent shall forfeit and pay as a Fine for every such Deficiency, and as often as such Deficiency shall appear, double the Value of each Article, which Value shall from Time to Time be ascertained by the General Assembly, Council of War, or Govetnor and Council, to be recovered by War- rant of Distress from the Commanding Officer of his re- spective Battalion, which Warrant of Distress shall be issued within Six Days from the Time such Deficiency shall be made known to him, directed to the Adjutant or Serjeant- Major of the Battalion, and returnable to him in Threc Weeks: And if such Commanding Officer shall neglect is- suing his Warrant as aforesaid, he shall forfeit double the Sum due from such Delinquent, to be recovered by War- rant of Distress to be issued by his Brigadier-General, in

Ten

October, 1779.

Ten Days after such Neglect shall be known, directed to the said Adjutant or Serjeant-Major, and returnable in Four Weeks from the Time of issuing: And if such Adjutant or Serjeant-Major shall neglect or refuse executing said Warrant issued as aforesaid, he or they shall be cashiered, or reduced to the Ranks, or otherwise punished at the Discretion of a regimental Court-Martial.

*Be it further Enacted*, That if any Captain, or other commissioned Officer, shall neglect calling his Company together when ordered as aforesaid, or shall not attend upon his Duty when called together, he shall be cashiered by the Sentence of a general Court-Martial.

*Be it further Enacted*, That when the Troops, or any Part of them, shall be assembled together for Review or otherwise, it shall be in the Power of the Commanding Officer to punish all Disorders and Breaches of military Order and Discipline, whether in non-commissioned Officers or Privates, by causing the Offender or Offenders to ride the wooden Horse, not exceeding the Space of one Hour,

*Be it further Enacted*, That every non-commissioned Officer or Private, who shall refuse or neglect appearing when warned as aforesaid, shall pay as a Fine for every Days Neglect not less than Three nor exceeding Six Pounds, at the Discretion of the Field-Officers, unless he shall render to them a sufficient Excuse, to be recovered in Manner as is before described. And the Captain or Commanding Officer is required within Six Days after any such Delinquency to report the same to the Commandant of his Battalion, and in Default thereof he shall forfeit his Commission.

*Be it further Enacted*, That in Cases of general Alarm as aforesaid, whatever Officer, non-commissioned Officer or Private, shall neglect or refuse appearing at the Alarm-Post as aforesaid, armed and accoutred as aforesaid, the Commanding Officer of the Battalion to which he or they belong, appearing and taking on himself the Command, shall make a Return of such Delinquents, by him signed, to the Major-General, within Three Weeks next after such Delinquency, who shall thereupon transmit the same to the Attorney-General of this State, and he shall file his Bill, Plaine of Information, against such Delinquent or Delinquents,

to

October, 1779.

37

to the then next Court of Law to be held in the County where such Delinquents dwell, proper to try the same, and on Conviction such Delinquent or Delinquents shall forfeit and pay as a Fine, to and for the Use of this State, the Sum of *Thirty Pounds, Lawful Money, and Six Pounds per Day,* for each and every Day the Troops shall be on Duty in Consequence of said Alarm, together with all lawful Cost of Prosecution; and if an Officer, shall likewise forfeit his Commission.

*Be it further Enacted*, That whenever the Forces aforesaid, or any Part thereof, shall be ordered into the Field, and are upon actual Service, they shall be subject to, and governed by, the Rules and Regulations of the Continental Army.

*And be it further Enacted;* That every Officer, non-commissioned Officer or Private, who shall neglect or refuse appearing, armed, accoutred and provided as aforesaid, at the Time and Place of Rendezvous directed, shall forfeit and pay, to and for the Use of this State, the Sum of *Six Pounds*, Lawful Money, per Day, to be recovered in Manner as in Case of Delinquencies on Alarms; and if an Officer, shall also forfeit his Commission. *Provided nevertheless*, that each non-commissioned Officer and Private may appear by Substitute, at the Discretion of the Commanding Officer.

*Be it further Enacted, That every regimental Court-Martial shall consist of Five commissioned Officers, one whereof at least being a Captain, and shall be appointed by the Commanding Officer of Battalion, who is empowered to confirm, mitigate or disapprove any Sentence by them given.*

*And be it further Enacted, That every general Court-Martial shall consist of at least Thirteen commissioned Officers, one whereof at least shall be a General or Field Officer, to be appointed by the Captain-General, or in his Absence the next Officer present in Command, who is also empowered to approve, mitigate or annul any Sentence by them given.*

*Be it further Enacted, That all Fines accruing by this Act imposed by Courts-Martial, be deposited in the Town-Treasurer's Office where the Offence shall happen, to be*

**K** appropriated

38

October, 1779.

appropriated for purchasing Arms and Accoutrements for those who shall be unable to provide for themselves, after deducting the Fees due for collecting the same, and also for paying the Corporals for warning the Companies, which shall be the same as the Sheriffs are allowed in similar Cases, excepting that the Corporals tax for Travel only.

*Be it further Enacted*, That the Captain-General, with his Council, the Lieutenant-General, the Major-General, the Brigadier-General, and Commandants of Battalions, or the major Part of them, make and constitute the Council of War.

*Provided always*, That this Act shall not extend, or be construed to extend, to any Persons who are excused from bearing Arms, by having taken the Affirmation, or produced the Certificates from the Meetings of Freinds, as by Law required; neither shall the same have Influence upon or prejudice any Charters already granted to Independent Companies. *Provided also*, that the Formation of the respective Corps, in this Act expressed, do not take Place till the next general Election, but that the General and Field Officers prepare and effect the same in the mean Time, and make Report accordingly.

*Ordered*, That a Copy of this Act be published in the next Providence Newspapers.

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*E. Hazzard to draw £.600 out of the General Treasury.*

*It is Voted and Resolved*, That *Enoch Hazzard, Esq;* be, and he is hereby, empowered to draw the Sum of *Six Hundred Pounds*, Lawful Money, out of the General-Treasury, for repairing the Ferries at *South-Kingstown* and *Jamestown*, provided no Person shall appear to undertake the Repairs of the said Ferries by the Fourth Day of *November* next.

*Act constituting a Council of War.*

*It is Voted and Resolved*, That a Council of War be, and they are hereby, appointed with the same Powers and Authority as was granted by an Act of this Assembly, which first appointed the said Council in *December, A. D. 1776*: That the Members of the said Council be allowed the Sum of *Six Pounds*, Lawful Money, per Day, for each and every